

10/7/2022 11:37 AM  
22CV34541

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3  
4 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
5 FOR THE COUNTY OF MULTNOMAH

6 CYNTHIA PRECIADO, ) Case No.:  
7 Plaintiff, )  
8 vs. )  
9 ) COMPLAINT FOR SEXUAL BATTERY  
10 CONCORDE CAREER COLLEGES, ) (NOT SUBJECT TO MANDATORY  
11 INC., a Foreign Business Corporation; ) ARBITRATION)  
12 KEITH KNITTLE, an individual, )  
13 Defendants ) PRAYER: \$750,000  
14 ) ORS 21.160(1)(c): \$594  
15 ) JURY TRIAL DEMANDED

16 Plaintiff demands a jury trial and alleges:

17 1.

18 CONCORDE CAREER COLLEGES, INC., (hereinafter, "Concorde") is and  
19 at all times mentioned herein has been an Oregon for-profit vocational college  
20 which provides staffing for its students, is located in Multnomah County, and  
21 at all times mentioned herein conducted regular and sustained business  
22 activity in Multnomah County.

23 2.

At all times mentioned herein, defendant Keith Knittle was a  
polysomnographic technology program instructor at Concorde, and was an

PAGE 1 –COMPLAINT FOR SEXUAL BATTERY

**KAFOURY & McDOUGAL**  
411 SW Second Ave., Ste. 200  
Portland, OR 97204  
Fax: 503-224-2673  
Phone: 503-224-2647

1 actual or apparent agent or employee of Concorde, and was acting within the  
2 course and scope of such agency and employment at all times mentioned  
3 herein.

4 3.

5 In the Fall of 2021, plaintiff was a student at Concorde, taking sleep  
6 study and polysomnographic classes, taught by defendant Keith Knittle.

7 4.

8 The defendant Keith Knittle, on several occasions during class, made  
9 inappropriate comments such as “back in the day you could tell if a man was  
10 in REM from his erection while asleep,” or “you used to be able to attach  
11 electrodes to a penis to tell if a man is in REM,” or advising the class a clever  
12 way to remember that  $V/D = S$  (voltage over density equals sensitivity) by using  
13 “vagina/dick = sex”. He would often give hugs to the female students in the  
14 class. Defendant Knittle gained plaintiff’s trust and confidence through  
15 educating and mentoring plaintiff, and through his approval and credentialling  
16 by defendant Concorde.

17 5.

18 On or between November 16 and 17, 2021, the plaintiff attended one-on-  
19 one study sessions with Defendant Knittle to go over the study material for the  
20 boards examination. These sessions were requested and coordinated by  
21 Defendant Knittle and plaintiff through text messaging and in person  
22 conversations.

23 6.

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1 During the November 16, 2021 one-on-one session, Defendant Knittle,  
 2 when plaintiff arrived, Defendant Knittle commented, “you look pretty.” The  
 3 plaintiff felt uncomfortable but let it slide and continued with the session. The  
 4 following day, November 17, 2021, at the one-on-one session, Defendant  
 5 Knittle told plaintiff he had been staring at plaintiff’s buttocks while she wore  
 6 yoga pants, and that was the reason he had told her “you look pretty” the day  
 7 previous. Plaintiff was immediately uncomfortable and felt confused. She left to  
 8 use the restroom and upon returning, Defendant Knittle said “see I just stared  
 9 at your butt when you left” and then he laughed. The plaintiff then requested  
 10 to end the session. Defendant Knittle then said “don’t forget to give me a hug”,  
 11 pulled the plaintiff into him and spanked her buttocks two times.

12 7.

13 The plaintiff reported the sexual harassment and touching to employees  
 14 at Concorde and was told that it was Defendant Knittle’s last day working for  
 15 Concorde and that he would not be coming back to Concorde.

16 **FOR A FIRST CLAIM FOR RELIEF**

17 (Battery, against all defendants)

18 8.

19 Plaintiff realleges paragraphs 1-7, above.

20 9.

21 Defendant Knittle knew that plaintiff trusted him and he exploited the  
 22 opportunity that arose from the one-on-one sessions and acts within the scope  
 23 of class teacher resulted in Knittle’s act of sexually harassing and assaulting

1 plaintiff. Part of the motivation for Knittle's acts were in service to his  
2 professional responsibilities, and part of the motivation was to gain plaintiff's  
3 trust and control over her in order that he might violate her sexually, and  
4 Knittle knew that such violation was unwelcome and harmful, and acted with  
5 the intent and knowledge that plaintiff would suffer harm.

6 10.

7 The acts of sexual violation were an outgrowth of and result of acts of the  
8 kind that defendant was hired to perform, and all acts prior to the sexual  
9 violation were motivated, at least partially, by a desire to serve the corporate  
10 defendant.

11 11.

12 As a result of the above-described sexual grooming, battery and sexual  
13 assault, plaintiff suffered, continues to suffer, and may permanently suffer  
14 from fear, humiliation, anxiety, panic attacks, and disabling emotional distress,  
15 all to her noneconomic damage not to exceed \$750,000.

16 **FOR A SECOND CLAIM FOR RELIEF**

17 (Negligence, Against Concorde)

18 12.

19 Plaintiff realleges paragraphs 1-12, above.

20 13.

21 Defendant Concorde was negligent in one or more of the following  
22 particulars:  
23

- 1 1. In allowing or approving defendant Knittle's supervision of plaintiff for
- 2 one-on-one study sessions when he was untrustworthy and
- 3 unsuitable for the program;
- 4 2. In failing to remove defendant Knittle from Concorde programs prior
- 5 to plaintiff's incident;
- 6 3. In failing to recommend to plaintiff or instruct plaintiff to use a
- 7 different person for boards studying.

8 WHEREFORE, plaintiff prays for judgment against defendants for  
9 noneconomic damages in an amount not to exceed \$750,000, and for her costs  
10 and disbursements necessarily incurred herein.

11 Dated: October 7, 2022.

12  
13 s/ Mark McDougal

14 \_\_\_\_\_  
Gregory Kafoury, OSB #741663  
[Kafoury@kafourymcdougal.com](mailto:Kafoury@kafourymcdougal.com)  
15 Mark McDougal, OSB #890869  
[mcdougal@kafourymcdougal.com](mailto:mcdougal@kafourymcdougal.com)  
16 Jason Kafoury, OSB #091200  
[jkafoury@kafourymcdougal.com](mailto:jkafoury@kafourymcdougal.com)  
17 Attorneys for Plaintiff  
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10/23/2022 2:58 PM  
22CV34541

**AFFIDAVIT OF SERVICE**

State of Oregon

County of Multnomah

Circuit Court

Case Number: 22CV34541

Plaintiff: CYNTHIA PRECIADO,  
vs.

Defendant: CONCORDE CAREER COLLEGES, INC., a Foreign Business  
Corporation; KEITH KNITTLE, an individual,

For:  
Kafoury McDougal  
411 S.W. 2nd Ave  
Ste. 200  
Portland, OR 97204

Received by Barrister Support Service on the 14th day of October, 2022 at 12:01 pm to be served on CONCORDE CAREER COLLEGES, INC R/A: CORPORATION SERVICE COMPANY, 1127 BROADWAY ST NE, SUITE 310, SALEM, OR 97301.

I, Rebecca L. Lundin, being duly sworn, depose and say that on the 17th day of October, 2022 at 2:20 pm, I:

SERVED the within named CONCORDE CAREER COLLEGES, INC at 1127 BROADWAY ST NE, SUITE 310, SALEM, OR 97301 by personally serving a true copy of the SUMMONS; COMPLAINT; PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANTS CONCORDE CAREER COLLEGES, INC., & KEITH KNITTLE upon AUDREY GROOM, who is a clerk on duty in the office of the Registered Agent and who is authorized to accept service.

**CERTIFICATION OF MAILING:** I certify that on 10/19/2022 a true copy of SUMMONS; COMPLAINT; PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANTS CONCORDE CAREER COLLEGES, INC., & KEITH KNITTLE along with a statement regarding the date, time and manner of service was mailed to CONCORDE CAREER COLLEGES, INC R/A: CORPORATION SERVICE COMPANY at 1127 BROADWAY ST NE, SUITE 310, SALEM, OR 97301 by First Class Mail postage paid.

**Description of Person Served:** Age: 25, Sex: F, Race/Skin Color: CAUCASIAN, Height: 5'6", Weight: 230, Hair: BLACK, Glasses: Y



**AFFIDAVIT OF SERVICE For 22CV34541**

I declare I am a resident of the State of Oregon. I am a competent person 18 years of age or older and not a party to or attorney in this proceeding. I certify that the person, firm, or corporation served is the identical one named in this action. I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

STATE OF Oregon

County of Marion

Subscribed and Sworn to before me on the 19<sup>th</sup> day  
of October 2022 by the affiant who is  
personally known to me or has provided identification.

  
NOTARY PUBLIC



  
Rebecca Lundin  
Process Server

Date 10/19/2022

Barrister Support Service  
10725 SW Barbur Blvd.  
Suite 202  
Portland, OR 97219  
(503) 246-8934

Our Job Serial Number: TSB-2022004856  
Ref: Preciado

**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH**

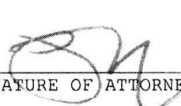
CYNTHIA PRECIADO, )  
 ) Plaintiff, ) No. 22CV34541  
 v. )  
 ) **SUMMONS**  
 CONCORDE CAREER COLLEGES, INC., a foreign )  
 business corporation; and KEITH KNITTLE, an )  
 individual, )  
 ) Defendants. )

To: CONCORDE CAREER COLLEGES, INC.  
 CORPORATION SERVICE COMPANY, REGISTERED AGENT  
 1127 BROADWAY STREET, NE, SUITE 310  
 SALEM, OREGON 97301

You are hereby required to appear and defend the complaint filed against you in the above entitled action within thirty (30) days from the date of service of this summons upon you, and in case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO DEFENDANT: READ THESE  
PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff. If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may contact the Oregon State Bar's Lawyer Referral Service online at [www.oregonstatebar.org](http://www.oregonstatebar.org) or by calling (503) 684-3763 in Portland metropolitan area or toll free elsewhere in Oregon at (800) 453-7636.

  
SIGNATURE OF ATTORNEY/AUTHOR FOR PLAINTIFF

Jason Kafoury, OSB No. 091200  
ATTORNEY'S/AUTHOR'S NAME and BAR NO.  
Kafoury & McDougal  
411 SW 2<sup>nd</sup> Ave, Ste 200  
Portland OR 97204 (503) 224-2647

TO THE OFFICER OR OTHER PERSON SERVING THIS SUMMONS: You are hereby directed to serve a true copy of this summons, together with a true copy of the complaint mentioned therein, upon the individual(s) or other legal entity(ies) to whom or which this summons is directed, and to make your proof of service on the reverse hereof or upon a separate similar document which you shall attach hereto.

**/S/ JASON KAFOURY**

ATTORNEY (S) FOR PLAINTIFF (S)